

Cancel without prejudice claim 5.

REMARKS

Reconsideration of the application is respectfully requested in view of the following remarks.

In view of the Section 112 rejection, Claim 5 has been canceled without prejudice.

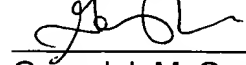
While several of the claims are rejected as anticipated over the Moreau et al. patent, the Office points to no teaching by Moreau et al. of the presently recited organogel. It is apparent from the present specification that the organogel of the invention has, e.g., a firmness which is higher than that of the liquid fatty component when compared at the same temperature. Therefore, it is not simply the presence of certain ingredients which is claimed, but also the presence of the organogel.

If the Office takes the position that the organogel is inherently present in the Moreau et al. patent, it is respectfully requested that it point out why the organogel is inevitably present in the Moreau et al. compositions.

With respect to the Section 103 rejection, the Office similarly points to no teaching in the Jandacek reference of the instant organogels. It is not apparent how the cited disclosures of Jandacek would teach one of ordinary skill the instantly claimed organogels, as opposed merely to particular ingredients.

In view of the foregoing, it is respectfully requested that the application, as amended, be allowed.

Respectfully submitted,



Gerard J. McGowan, Jr.
Attorney for Applicant(s)
Reg. No. 29,412

/gjm
(201) 840-2297